

United States Bankruptcy Court  
Western District of New York

In re:  
Don E. Matheis  
Katherine M. Matheis  
Debtors

Case No. 06-01255-CLB  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0209-1

User: bibbs  
Form ID: pdfattach

Page 1 of 1  
Total Noticed: 6

Date Rcvd: Sep 29, 2014

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 01, 2014.

db/jdb            Don E. Matheis,    Katherine M. Matheis,    419 Parkhurst,    Buffalo, NY 14223-2105  
19541483        +Chase Manhattan Bank,    100 Duffy Ave., 4th Floor,    Hicksville, NY 11801-3636  
19541486        +Citibank,    P.O. Box 6500,    Sioux Falls, SD 57117-6500

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

19541508        +E-mail/Text: bkynotice@harvardcollect.com Sep 29 2014 18:38:11  
                  Harvard Collection Services, Inc.,    4839 N. Elston Ave.,    Chicago, IL 60630-2589  
19541509        +E-mail/Text: bankruptcy\_notifications@ccsusa.com Sep 29 2014 18:38:10    Kemper Insurance,  
                  c/o Credit Collection Services,    Two Wells Ave.,    Newton, MA 02459-3225  
19541525        +E-mail/PDF: resurgentbknotifications@resurgent.com Sep 29 2014 18:41:11    Sherman Acquisition,  
                  P.O. Box 740281,    Houston, TX 77274-0281  
                  TOTAL: 3

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 01, 2014

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 29, 2014 at the address(es) listed below:

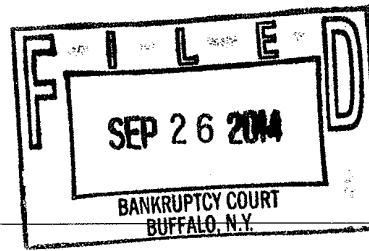
Daniel E. Brick on behalf of Debtor Don E. Matheis brickelmer@aol.com  
Daniel E. Brick on behalf of Joint Debtor Katherine M. Matheis brickelmer@aol.com  
Joseph W. Allen, 11 USTPRegion02.bu.ecf@usdoj.gov, Joseph.W.Allen@usdoj.gov  
Thomas A. Dorey on behalf of Trustee Thomas A. Dorey tdorey@stny.rr.com  
Thomas A. Dorey tdorey@stny.rr.com, tdorey@ecf.epiqsystems.com

TOTAL: 5

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

In re

MATHEIS, DON E.  
MATHEIS, KATHERINE M.  
Debtor(s)



Case No. 06-01255 CLB  
Chapter 7

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**AFFIDAVIT OF CLAIMANT TO RELEASE UNCLAIMED FUNDS**

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Debtors, Don E. Matheis and Katherine M. Matheis, state under penalty of perjury,

1. They reside at 419 Parkhurst Blvd., Buffalo NY and their telephone number is (716) 812-1507. Their tax identification numbers are \_\_\_\_\_ and \_\_\_\_\_, respectively.
2. A copy of their drivers' licenses and a completed W-9 form are attached.
3. This application is for the release of the following unclaimed funds:
  - a. Chase Manhattan Bank \$3,957.00 plus interest \$965.68
  - b. Citibank \$915.00 plus interest \$223.30
  - c. Harvard Collection Service \$9,725.00 plus interest \$2,373.32
  - d. Kemper Insurance \$117.00 plus interest \$28.55
  - e. Sherman Acquisition \$4,999.00 plus interest \$1,219.97
4. The reason the claimant did not present the checks for payment at the time of the original disbursement is that the checks were made payable to creditors whose claims had been filed on their behalf by the Trustee.
5. The claimant objected to these claims as late-filed and the claims were disallowed pursuant to an Order of this court dated June 3, 2014 and attached hereto.

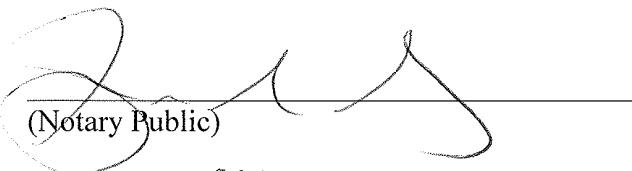
6. As this was a surplus monies case, the claimants/debtors herein are, in fact, due the monies being requested.
7. The claimants request that the said unclaimed funds be paid to them as payees, care of Brick, Brick & Elmer, P.C. 91 Tremont Street, P.O. Box 604, North Tonawanda, NY 14120.

*I state under penalty of perjury that the foregoing is true and correct. Executed on September 22<sup>nd</sup> 2014.*

Don E. Matheis  
Don E. Matheis

Katherine M. Matheis  
Katherine M. Matheis

Subscribed and Sworn to before me this  
22<sup>nd</sup> day of September, 2014

  
(Notary Public)

Sabrina M. May  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires March 31, 2016

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

In Re:

MATHEIS, DON E.  
MATHEIS, KATHERINE M.

Debtor(s)

Case No. 06-01255 CLB  
Chapter 7

CERTIFICATE OF SERVICE

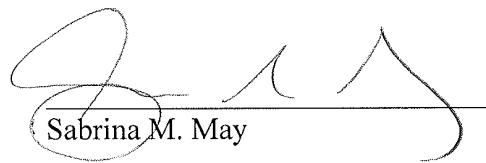
STATE OF NEW YORK )  
COUNTY OF NIAGARA ) ss.:  
CITY OF NORTH TONAWANDA )

I, SABRINA M. MAY, certify that on, the 25<sup>th</sup> September 2014, I served true and correct copy of the Affidavit of Claimant to Release Unclaimed Funds on the following in the manner specified for each party(ies) below:

Name and Address of Party

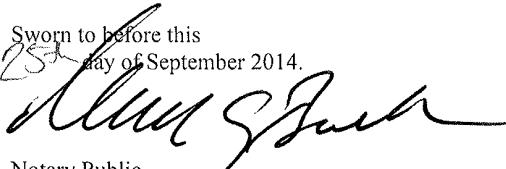
UNITED STATES ATTORNEY FOR THE  
WESTERN DISTRICT OF NEW YORK  
138 DELAWARE AVE.  
BUFFALO, NY 14202

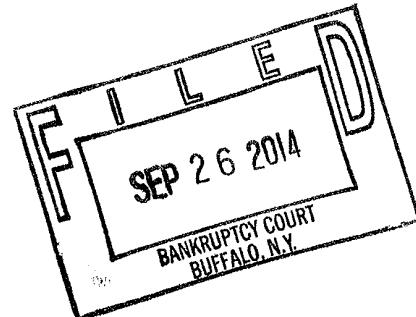
U.S. Mail



Sabrina M. May

Sworn to before this  
25<sup>th</sup> day of September 2014.

  
Notary Public



**Request for Taxpayer  
 Identification Number and Certification**

**Give Form to the  
 requester. Do not  
 send to the IRS.**

Print or type  See Specific Instructions on page 2.	Name (as shown on your income tax return) <b>Don E. Matheis and Katherine M. Matheis</b>				
	Business name/disregarded entity name, if different from above				
Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) <input type="checkbox"/> Other (see instructions) ►					Exemptions (see instructions):  <input type="checkbox"/> Exempt payee code (if any) <input type="checkbox"/> Exemption from FATCA reporting code (if any)
Address (number, street, and apt. or suite no.) <b>419 Parkhurst Blvd.</b> City, state, and ZIP code <b>Buffalo, NY 14223</b>			Requester's name and address (optional) <div style="text-align: center; border: 1px solid black; padding: 5px; margin-top: 10px;">           SEP 26 2014            BANKRUPTCY COURT            BUFFALO, NY         </div>		
List account number(s) here (optional)					

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number										
0	9	8	-	4	2	-	1	2	3	1

Employer identification number									
			-						

**Part II Certification**

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below), and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

**Sign Here**   **Signature of U.S. person ►**

*Don E. Matheis*

Date ►

*9/23/2014*

**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** The IRS has created a page on IRS.gov for information about Form W-9, at [www.irs.gov/w9](http://www.irs.gov/w9). Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

**Purpose of Form**

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, payments made to you in settlement of payment card and third party network transactions, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),  
**2. Certify that you are not subject to backup withholding, or**  
**3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the**

withholding tax on foreign partners' share of effectively connected income, and  
 4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

**Note.** If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.